IN THE HIGH COURT OF JUDICATURE
AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1329 OF 2006

Ashrat Shafiq Ansari ...Petitioner
Vs.
The State of Maharashtra & Anr. ...Respondents

None for the Petitioner
Mr. D.S. Mhaispurkar, A.P.P for the State

CORAM: SHRI J.N.PATEL &
SMT. ROSHAN DALVI, JJ.
DATED: 3RD OCTOBER, 2006

P.C.

1. Heard.

2. Learned A.P.P for the Respondent No.1 tendered affidavit of Mr. Rane, Assistant Commissioner of Police, d-1, (West), D.C.B. C.I.D. Mumbai in reply to the Petition. Affidavit filed by Mr. Rane is taken on record.

3. The Petition is filed seeking directions in case of Petitioner who has been detained in the custody pending the trial in P.O.T.A Case No.1 of 2004.

4. It is the case of the Petitioner that he has been illegally detained during the trial and therefore, he is entitled to be

released forthwith. In the alternative he may be granted bail.

5. The affidavit in reply filed on behalf of the Respondent rather goes to show that the trial is in progress and is likely to be concluded in near future. Therefore, in the facts and circumstances we do not find the Petitioner is illegally detained in judicial custody in P.O.T.A. Therefore, we do not find any merits in the Petition. Petition dismissed.

(SMT.ROSHAN DALVI, J.) (SHRI. J.N. PATEL, J.)